

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:06-HC-2195-BR

UNITED STATES OF AMERICA

v.

GRAYDON COMSTOCK

ORDER

This matter is before the court on respondent's 22 November 2011 motion to dismiss.<sup>1</sup>  
Having fully considered the motion (DE # 133), it is DENIED.

This 23 November 2011.



W. Earl Britt  
Senior U.S. District Judge

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<sup>1</sup> Although respondent has previously filed other motions to dismiss, he raises new arguments in the instant motion. Specifically, he maintains that a due process violation has occurred based on the fact that the government waited until a week before his scheduled release date before seeking civil commitment. Respondent also contends that a due process violation has occurred because the government failed to bring him before the court for a hearing on the merits within a reasonable time after it filed the petition seeking commitment pursuant to 18 U.S.C. § 4248.